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PTO/SB/21 (08-00)

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		Application Number	09/396,530
		Filing Date	9/15/99
		First Named Inventor	Randall A. Addington
		Group Art Unit	3711
		Examiner Name	William Pierce
Total Number of Pages in This Submission		Attorney Docket Number	00-1002

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Appellants' Reply to Examiner's Substitute Answer <i>Return Post Card</i>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Joel I. Rosenblatt
Signature	
Date	March 1, 2001

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Signature	<i>Joel I. Rosenblatt</i>
Date March 1, 2001	

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E.Chase

3-9-01

5 Application Number: 09/396,530 Group Art Unit: 3711

Filing Date: 9/15/99 Examiner Name: William Pierce

Inventors: Randall Addington et al. Attorney Docket No.: 99-1002

10 Title: Method For Improving Bowler's Control

15 Assistant Commissioner of Patents
Washington, D.C. 20231

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APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants Supplemental Reply Brief

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This Supplemental Reply is made in response to the Substitute Examiner's Answer,
Paper No. 9, Mailed Feb. 22, 2001.

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The Substitute Examiner's Answer Should Not Be Entered In This Record Or Otherwise
Considered In This Appeal

30 37 CFR 1.191 et seq. and in particular Sec. 1.193 (b)(1) Examiner's answer and reply
brief, requires after Appellant has filed a Reply, that

35 The primary examiner must either acknowledge receipt and entry of the reply
brief or withdraw the final rejection and reopen prosecution to respond to the
reply brief. A supplemental examiner's answer is not permitted, unless the
application has been remanded by the Board of Patent Appeals and
Interferences for such purpose.

Appellant has filed an Appeal Brief and Examiner has filed an Examiner's Answer.
40 See Paper No. 9. In reply, Appellant has filed a Reply Brief which has been entered. See
Paper No. 9, page 2, 1st paragraph. Under Rule 193(b)(2), Examiner is ordered to
acknowledge receipt and entry of the reply brief or reopen prosecution. No supplemental
examiner's answer is permitted. Examiner must not answer the Reply Brief unless he first
reopens prosecution. Clearly Examiner has made his choice not to reopen prosecution and

5 no answer to the Reply Brief is permitted, regardless of how Examiner chooses to identify it.

Accordingly, this Supplemental Reply Brief should be entered and considered for the limited purpose of objecting to the entry or consideration of Examiner's Substitute Answer as unlawful and a violation of the Rule of Practice 37 CFR 1.193, and Appellants' due process
10 and equal protection rights.



Respectively, submitted,

15 
Attorney for Appellants

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